

MICHIGAN DOMESTIC VIOLENCE PREVENTION AND TREATMENT BOARD

MEETING MINUTES September 22, 2006

***** APPROVED March 23, 2007 *****

Members Present:

Princella Graham
Honorable Amy Krause, Chair
Honorable Nathaniel C. Perry, III
Lore Rogers

Staff Present:

Patsy Baker
Michelle Bynum
Debi Cain, Executive Director
Carol Hackett Garagiola
Julie Giddings

Shelia Hankins
Josie Jubb
Mary Lovik
Karen Porter

Guests:

Patrice Eller, DHS
Kathy Hagenian, MCADSV
Michele Hernandez, MSP
Judy Karandjeff, MWC
Melissa Limon, MCADSV
Jean Mahjoory, SCAO
Jody Smith, RAVE, St. Johns

Welcome and Introductions

Chair A. Krause convened the September 22, 2006 Michigan Domestic Violence Prevention and Treatment Board (MDVPTB) meeting at the Holiday Inn West in Lansing, MI, at 10:28 a.m. Introductions were made and a welcome extended to guests.

Items II and IV on the Agenda were passed over until there was a Quorum.

PUBLIC COMMENT

Jody Smith from RAVE, St. Johns wanted to let the Board know about upcoming activities in October for Domestic Violence Month.

CHAIR'S REPORT

Chair A. Krause reported that board member M. Beth Kur sends her regrets for not being able to attend.

G. Brown will be leaving the Board as her term expires and L. Rogers will be stepping down. Rogers commented that it was a hard decision to step down and wanted to ask that the Board take into

consideration and always keep in mind the importance of victim services. A. Krause will be contacting the Appointments office as we will have 3 vacancies on the Board. A. Krause will see if new Board member appointments could be expedited in October as it is Domestic Violence Awareness Month. Thank you to G. Brown and L. Rogers. The Board has appreciated their insights and experience and they will be missed very much. Discussion of scheduling the 2007 Board meetings, and the imperative that we work around the schedules of the four remaining Board members so we have a Quorum at all meetings.

D. Cain updated Board members on the Batterers Intervention Standards Coalition-MI (BISC-MI) and their on-going work to look at monitoring mechanisms for Michigan's Batterers Intervention Standards. Both MDVPTB and MCADSV are collaborating with BISC-MI in this effort.

Chair A. Krause asked the Board for feedback on D. Cain's evaluation. Chair A. Krause will then provide that feedback to Patrice Eller for D. Cain's 2006 annual performance appraisal.

Chair A. Krause discussed that she will be a keynote speaker for an Ingham County candlelight vigil on October 24, 2006 and asked that everyone participate in anyway they can for Domestic Violence Awareness Month. She also called attention to the annual domestic violence homicide list compiled by MDVPTB in anticipation of October as Domestic Violence Awareness Month.

D. Cain indicated that MDVPTB just received our new STOP award of \$3.65 million dollars, a slight increase. She also indicated that with the assistance and coordination of MCADSV, Ron Hicks and Stephanie Johnson, the Agency Directors attending the quarterly service provider grantee meeting went to the Senate and House galleries of the state legislature. Bi-partisan proclamations were made recognizing the group in each chamber.

BOARD CONSENT

Review of agenda; approval of April 7, 2006 Board meeting minutes.

MOTION: Moved by L. Rogers to approve the September 22, 2006 agenda and to approve the April 7, 2006 meeting minutes. Seconded by N. Perry. Motion carried.

MONITORING TO ASSURE ORGANIZATIONAL PERFORMANCE

The Governance Process and Policy Review

Executive Limitations:

General Executive Director Constraint; Budgeting; and State Policy Leadership

The Board reviewed and approved D. Cain's Executive Limitations reports.

MOTION: Moved by L. Rogers to accept General Executive Director Constraint; Budgeting; and State Policy Leadership reports. Seconded by N. Perry. Motion carried.

Governance Process:

Governing Style; Board Job Description; and Annual Board Planning Cycle

The Board reviewed the policies. No concerns or changes noted. No motion required.

Board-Staff Relationship:

Executive Director Role; Delegation to the Executive Director; Executive Director Job Description; and Monitoring Executive Performance

The Board reviewed the policies. No concerns or changes noted. No motion required.

EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE

Updates from D. Cain and staff P. Baker provided a report on the 2007 budget. D. Cain and P. Baker proposed that since we have still not received all grant award amounts yet, and since the Board has an approved 2006/2007 budget presented at the 2005 Board Annual Retreat, that we go forward with the previously-approved budget and the staff will bring updates and modifications to the Board as we receive them.

MOTION: Moved by N. Perry to adopt the budget as is, subject to potential modifications. Seconded by P. Graham. Motion carried.

D. Cain asked for Board input on the formulas used for the Domestic Violence Comprehensive and the STOP grants. The formula amounts for the awards has continued to utilize the 1990 census. While this is not an ideal situation, to use updates census figure will significantly change grant award amounts in some of the most impoverished communities. The Board reviewed a handout detailing how the census would affect grantees. After discussion, the Board asked that D. Cain also factor into the formula holding steady on the Governor's Cities of Promise (Detroit, Hamtramck, Highland Park, Pontiac, Flint, Saginaw, Muskegon Heights, and Benton Harbor). There may be an emergency Board meeting/conference call scheduled to further discuss or we will review again at the December Board meeting. D. Cain would like to commend staff for all of their research and time spent on this. Finally, D. Cain asked that the Board set up a Board Committee to re-examine over the next couple of years the formulas we currently use.

MOTION: Moved by P. Graham to set up a committee to look at the formulas longer term. Seconded by L. Rogers. Motion carried.

D. Cain provided an update about the national organization, Sisters of Color Ending Sexual Assault (SCESA). MDVPTB has requested technical assistance related to developing long term strategies that ensure funding is available for all communities providing services for those impacted by domestic and sexual violence. SCESA will be spending the first week of October in Michigan and will meet with various groups including MDVPTB administrative and contract staff, STOP and FVPSA administrators from surrounding states, MCADSV staff, state STOP partners, and individuals providing services to communities of color. We anticipate receiving critical information and recommendations to consider in future granting processes.

D. Cain introduced Melissa Limon, Coordinator from the Resource Center and wanted the Board to know what a wonderful and amazing resource she is if someone needs research or information. D. Cain reminded the Board that the Resource Center is owned by the Board and managed under contract with the Board by the Coalition.

The MDVPTB recently distributed its updated Dating Violence Youth Education Packet to all public, private and alternative high schools in Michigan. Using a grant from Verizon Wireless, MDVPTB was able to update and print the package that was originally developed and distributed in 2002. The Youth Education Packet is designed for use with high school-aged youths and can be delivered in a variety of time frames ranging from thirty minutes to more than two hours delivered over three days. As a kick off to Domestic Violence Awareness month Verizon is holding a press conference about the MDVPTB Packet at Eastern High School in Lansing on September 26, 2006.

D. Cain asked that MDVPTB staff S. Hankins update the Board about a concept paper that was submitted to the Violence Against Women Office (OVW) requesting funding for a collaborative project between MDVPTB and the Institute on Domestic Violence in the African American Community (IDVAAC). IDVAAC is a highly regarded national organization and Shelia serves on their board. The concept paper proposes that IDVAAC establish a Detroit-based office to assist with issues of violence against women specifically in Detroit.

Legislative Review

M. Lovik reviewed and discussed with the Board HB 6441, HB 6442, HB 6443, HB 6444, HB 6445 and SB 1410. Of particular concern are provisions of the House Bills that would:

Require police to report to DHS after responding to any domestic violence incident where a child is present or potentially present, and require entry of Category III child protective services cases onto the Central Registry.

MOTION: Moved by L. Rogers to oppose the mandatory police reporting provisions in the House Bills based on the position taken at the Board's April 7, 2006 meeting, and oppose the House Bill provisions requiring entry of Category III child protective services cases onto the Central Registry, and adopt a general principle that while the Board recognizes that all abuse should be reported, the mandatory police reporting mechanism in these House Bills will have a chilling effect on reporting domestic violence, resulting in the opposite of its intended effect. Seconded by P. Graham. Motion carried.

C. Hackett Garagiola reviewed and there was discussion of HB 6403, which would permit schools to petition for a circuit court order to restrain certain persons from coming onto school property or within 1000 feet of school property. The bill's provisions for enforcement of these orders are incorporated into the existing PPO enforcement statutes and are virtually identical to PPO enforcement procedures.

MOTION: Moved by L. Rogers to oppose this bill as drafted because it dilutes and impairs the effectiveness and significance of PPOs and creates confusion about appropriate interventions in cases involving domestic violence and stalking, but support the bill's concept to protect minors from sex offenders if the remedy is removed completely from the PPO framework and a separate process for issuance, service, enforcement and appropriate penalties is created. Seconded by P. Graham. The Board then amended its motion to add the general principle that it opposes the use of mediation between the petitioner and respondent in domestic relationship and stalking PPO cases. Motion carried.

C. Hackett Garagiola discussed SB 1323 which would abolish the right to peremptory challenges to jurors in civil or criminal cases.

MOTION: Moved by L. Rogers to oppose SB 1323. Seconded by P. Graham. Motion carried.

C. Hackett Garagiola discussed HB 6271, which would amend MCL 600.1715 to permit probation as a sentencing option in criminal contempt cases.

MOTION: Moved by P. Graham to support as long as persons convicted of criminal contempt for violating a PPO remain subject to a mandatory jail sentence in addition to any other terms imposed as a condition of probation. Seconded by L. Rogers. Motion carried.

C. Hackett Garagiola reported that MDVPTB staff have been meeting with representatives from the Michigan State Police, MCADSV, Michigan sexual assault nurse examiner programs, the Department of Community Health, and the Crime Victim Services Commission to draft a legislative proposal creating a statewide trauma system and a framework for the collection and storage of sexual assault forensic examination kits. She suggested that the concept of this proposal is consistent with past Board guiding principles, as long as the confidentiality of the sexual assault survivor is maintained, and steps are taken to ensure that the survivor retains absolute control over the maintenance and release of the kit. After discussion of survivor concerns, further consideration of this proposal was tabled until bill drafts are available for the Board's perusal. Chair A. Krause disclosed that her husband Kirk Krause works in the same department as one of the employees working on this proposal for MDCH.

MOTION: Moved by L. Rogers to adopt a general principle that provisions for reimbursement to third parties who provide services to crime victims must ensure that personally identifying information of the crime victims be held confidential. Seconded by P. Graham. Motion carried.

C. Hackett Garagiola discussed HB 5968, which would tighten eligibility for MCL 769.4a deferrals by expanding the list of crimes for which prior convictions preclude eligibility for the deferral. The bill also clarifies that an order of probation under MCL 769.4a deferral may include imprisonment for not more than 12 months. The Board under a previous motion has supported the concept of reducing opportunities for repeat DV offenders to escape accountability for DV crimes, and therefore indicated support for this concept in HB 5968.

PROCESS EVALUATION: None.

ADJOURNMENT

The meeting ended at 2:00 p.m.

MOTION: Moved by L. Rogers to adjourn the meeting. Seconded by P. Graham. Motion carried.

Respectfully submitted,
Josie Jubb